



Attorney Docket: 01376CIP/HG

**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

Applicants : Masakatsu KANEKO et al.

Serial No. : 09/925,673

Filed : August 9, 2001

For : NOVEL NUCLEOSIDE
AND OLIGONUCLEOTIDE
ANALOGUES

Art Unit : 1623

Examiner : Howard V. Owens, Jr.

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Washington, D.C. 20231

S I R :

This is a response to the Office Action of March 26, 2003 (Paper No. 9), which is a Restriction Requirement under 35 USC 121. The term for responding to the Office Action ends on April 26, 2003, which is a Saturday, therefore ending on Monday, April 28, 2003.

R E M A R K S

The Examiner is respectfully requested to acknowledge applicants' claim for priority under 35 USC 119 and receipt of the certified copy of the priority document which was filed on August 9, 2001.

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TECH CENTER 1600/2900
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CERTIFICATE OF MAILING

I hereby certify this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to:
Commissioner for Patents,
Washington, D.C. 20231 on the date noted below.

Attorney: Richard S. Barth

Dated: APRIL 28, 2003

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by check attached hereto, authorization to charge the extension fee, or any other fee required in connection with this Paper, to Account No. 06-1378.

The Examiner is also respectfully requested to return a copy of the Forms PTO/SB/08A filed on October 31, 2001; Forms PTO/SB/08B filed on November 7, 2001; Form PTO/SB/08 filed on December 3, 2001; Form PTO/SB/08B filed on March 31, 2003 and Form PTO/SB/08A filed on March 11, 2002 and to indicate thereon that the cited publications were considered and made of record.

Restriction was required under 35 USC 121 as follows:

Group I. Claim 1-77, drawn to nucleoside compounds/ compositions and oligonucleotides thereof, and

Group II. Claims 78-102, drawn to a probe/primer and antisense method.

Applicants elect Group I (claims 1 to 77).

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

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Respectfully submitted,



Richard S. Barth
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